



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 19, 2007

SO ORDERED

Via Facsimile

The Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street, Room 630
New York, New York 10007

George B. Daniels
HON. GEORGE B. DANIELS
SEP 19 2007

Re: United States v. Brian Brock, 07 Cr. 585 (GBD)

Dear Judge Daniels:

Pursuant to your Honor's referral, Brian Brock, the defendant, was arraigned on August 30, 2007 before Magistrate Judge Debra Freeman.

Due to a scheduling conflict, the parties jointly request that the first pre-trial conference in this matter, currently scheduled for September 20, 2007 at 10 a.m., be adjourned until September 27, 2007 at 9:45 a.m.

The Government also requests that the Court exclude time in the above-referenced action until September 27, 2007, the date of the rescheduled conference. Such an exclusion is warranted because, among other reasons, it will enable the Government to produce initial discovery. Ms. Kelly J. Sharkey, Esq., counsel for the defendant, has consented to the exclusion of time until September 27.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 

Kenneth Allen Polite, Jr.
Assistant United States Attorney
(212) 637-2412

cc: Kelly J. Sharkey, Esq. (via facsimile)

The Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial, because it will enable the Government to produce initial discovery, and the defendant consents to such an exclusion of time.

Accordingly, it is ORDERED that the time between the date of this Order and September 27, 2007 is hereby excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(H) & (h)(8)(A), in the interests of justice.

Dated: New York, New York
September __, 2007

JUDGE GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE